



General Assembly

February Session, 2000

Raised Bill No. 5584

LCO No. 1699

Referred to Committee on Environment

Introduced by:
(ENV)

An Act Concerning The Taking Of Menhaden Fish.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (a) of section 26-142a of the general statutes, as amended
2 by section 1 of public act 99-78, is repealed and the following is
3 substituted in lieu thereof:

4 (a) No person shall operate, use or attempt to operate or use a vessel
5 for commercial fishing or landing activities authorized by this section
6 unless the commissioner has issued a vessel permit for such vessel to
7 the owner of the vessel. No person shall use or assist in using
8 commercial fishing gear in any water of the state or land in this state
9 any species taken by commercial fishing gear or for commercial
10 purposes, regardless where such species was taken, unless such person
11 has been licensed by the Commissioner of Environmental Protection to
12 use such commercial fishing gear or land such species; except that any
13 person who holds a license to set or tend gill nets, a license to take
14 lobsters or fish for personal use, a resident commercial fishing license,
15 a nonresident commercial fishing license or a commercial landing
16 license may be accompanied and assisted by persons not so licensed. A
17 resident of a state which does not issue commercial licenses to take eels

18 to residents of Connecticut shall not be eligible to obtain a commercial
19 license to take eels in the waters of this state or to land eels in this state.
20 No vessel shall be used to land any finfish, lobsters, crabs, including
21 blue crabs, sea scallops, squid or bait species for sale, barter, exchange,
22 consignment or transportation to any point of sale unless an operator
23 of the vessel is licensed for such purpose, except that any person who
24 holds a commercial fishing license issued by the commissioner to fish
25 by the method used to take such species, regardless of where such
26 species were taken, shall not be required to obtain a landing license.
27 No person shall take or attempt to take lobsters for personal use by
28 hand or by scuba diving or skin diving unless such person has been
29 licensed by the commissioner to take lobsters by such methods. No
30 person shall take or attempt to take finfish for commercial purposes by
31 the use of hook and line, including but not limited to rod and reel,
32 hand line, set line, long line, or similar device unless such person has
33 been licensed by the commissioner to use such gear for commercial
34 purposes, except that notwithstanding the issuance of such a license,
35 no person shall take finfish for commercial purposes in the inland
36 district by the use of hook and line. [Prior to July 1, 2001, no] No purse
37 seine or similar device which is greater than three hundred feet in
38 length shall be used to take menhaden nor shall menhaden be taken
39 from a vessel greater than fifty feet in length. No purse seine or similar
40 device shall be used to take menhaden unless the vessel from which
41 such purse seine or similar device is used, tenders excepted, is
42 registered with the commissioner. The use of a purse seine or similar
43 device to take species other than menhaden is prohibited. The
44 commissioner may adopt regulations, in accordance with the
45 provisions of chapter 54, to conserve the menhaden fishery and such
46 regulations may provide for a moratorium on the taking of menhaden
47 for any period of time that the commissioner deems necessary. No
48 pound net shall be used to take finfish unless such pound net is
49 registered with the commissioner. Lobsters and blue crabs taken in
50 pound nets shall be released unharmed. No person shall buy finfish,
51 lobsters, crabs, including blue crabs, sea scallops or squid for resale

52 from any commercial fisherman unless such person has been licensed
53 by the commissioner. No person shall take or assist in taking blue
54 crabs for commercial purposes except by scoop net, hand line or
55 manually operated and personally attended devices approved by the
56 commissioner and unless such person has been licensed by the
57 commissioner. No person shall operate a charter boat, party boat or
58 head boat for the purpose of fishing unless such boat has been
59 registered for such purpose with the commissioner. The owner,
60 operator or captain of any such boat may sell the boat's or crew's share
61 of any catch if such sale is not prohibited on the basis of species, size or
62 closed season. For the purposes of this chapter, a charter boat, party
63 boat or head boat is a vessel carrying one or more crew members and
64 which is operated for a fee for the purpose of transporting and
65 providing a fishing platform for sport fishermen in the marine district.
66 The commissioner may by regulations adopted in accordance with the
67 provisions of chapter 54 exempt certain minnow seines, cast nets,
68 scoop nets, traps, eel pots, seines less than thirty feet in length or any
69 similar device used to take bait species and other species for personal
70 use under a sport fishing license in the inland district and without a
71 license in the marine district. No vessel used to take bait species may
72 employ a fish pump. Persons licensed, registered or issued a permit to
73 engage in activities authorized by this subsection shall carry on their
74 persons or in the vessel being used to engage in such activity the
75 permit, license or registration covering such activity.

76 Sec. 2. This act shall take effect from its passage.

Statement of Purpose:

To protect the menhaden fishery in Connecticut waters by imposing a permanent moratorium on the fishing of menhaden by purse seine.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]